

AMENDED IN SENATE JUNE 4, 2003
AMENDED IN SENATE APRIL 30, 2003
AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 757

Introduced by Senator Poochigian

February 21, 2003

An act to add ~~Section~~ *Sections 77.5 and 5307.27* to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

SB 757, as amended, Poochigian. Workers' compensation: official utilization schedule.

Existing law establishes a workers' compensation system to compensate an employee for injuries sustained in the course of his or her employment.

Existing law establishes, in the Department of Industrial Relations, the Commission on Health and Safety and Workers' Compensation to conduct a continuing examination of the workers' compensation system and of the state's activities to prevent industrial injuries and occupational diseases.

This bill would require the commission to conduct a survey and evaluation of existing medical treatment utilization standards in other states, at the national level, and in other medical benefit systems, and prepare a report of its findings and recommendations for purposes of workers' compensation utilization guidelines and protocols.

Existing law requires the Administrative Director of the Division of Workers' Compensation to, among other duties, adopt a medical fee

schedule, a pharmaceutical fee schedule, an outpatient surgery facility fee schedule, and a fee schedule for medical-legal expenses.

This bill would require the administrative director, by ~~July~~ *September 1, 2004*, to adopt an official utilization schedule, which shall be based on ~~prescribed the above~~ findings and recommendations *of the commission*, that specifies utilization guidelines and protocols for purposes of the workers' compensation law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 77.5 is added to the Labor Code, to*
2 *read:*

3 77.5. (a) *On or before July 1, 2004, the commission shall*
4 *conduct a survey and evaluation of existing medical treatment*
5 *utilization standards in other states, at the national level, and in*
6 *other medical benefit systems.*

7 (b) *The commission shall prepare a report of its findings and*
8 *recommendations with respect to the survey and evaluation*
9 *required under subdivision (a) as it relates to workers'*
10 *compensation utilization guidelines and protocols for purposes of*
11 *Division 4 (commencing with Section 3200).*

12 SEC. 2. Section 5307.27 is added to the Labor Code, to read:

13 5307.27. The administrative director, after public hearings,
14 shall adopt, not later than ~~July~~ *September 1, 2004*, and revise, no
15 less frequently than biennially, an official utilization schedule,
16 based on findings and recommendations ~~as set forth in the 2003~~
17 ~~Utilization Report by the Commission on~~ *as set forth in the report,*
18 *completed pursuant to Section 77.5, of the Commission on Health*
19 *and Safety and Workers' Compensation, that specifies utilization*
20 *guidelines and protocols for purposes of this division.*